

Industrial Property of Saudi Arabia

The Directorate of Patents at King Abdul-Aziz City of Science and Technology (KACST) is known as the "Patent Office" and KACST grants protection documents for:

- Inventions,
- Layout designs of integrated circuits,
- Plant varieties and;
- Industrial designs.

In 1982, KACST was notified of the Royal Decree approving the accession of Saudi Arabia to the World Intellectual Property Organization (WIPO). Accordingly, patents has been assigned to KACST since intellectual property is essentially about patents and technology transfer and KACST is the scientific body qualified for this mission.

The first Law of Patents was issued by the Royal Decree No. (M / 38) dated 10/6/1409 H (18/1/1989 AD). The Law aimed to provide protection for inventions in Saudi Arabia, and it was modified in 19 / 7 / 1425 H (4/9/2004 AD).

The modified Law of Patents, Layout Designs of Integrated Circuits, Plant Varieties, and Industrial Designs was issued by the Royal Decree No. (M/27) dated 17/7/2004 was published in the Official Gazette (Om Alqura) in August 7, 2004, and became effective as of September 5, 2004. The Law provides full protection for patents, layout designs of integrated circuits, plant varieties and industrial models in Saudi Arabia.

The Implementing Regulations for the aforementioned law were issued as per an administrative decision on December 26, 2004 and entered into force on the same date.

Saudi Arabia has approved to join PCT as per the Royal Decree issued on December 14, 2009 but the access into PCT has not yet completed hence entering PCT national phase is still not possible.

Saudi Arabia is a member of the Gulf Cooperation Council (GCC) Patent Office. The GCC Patent Office is a unified patent office that serves as a convention patent office for the states of the Gulf namely, Saudi Arabia, Bahrain, Kuwait, Oman, Qatar and United Arab Emirates. The GCC Patent Office became operational in 1998.

An application for a patent shall be submitted to the Directorate of Patents on the form designed for such purpose. The application shall include the following data:

1. Name, surname and address of the applicant. If the application is submitted in a name other than the inventor's name, the name of the inventor and a document evidencing the devolution to the applicant of the right to a patent should be submitted.

In such a case, the Directorate of Patents may provide the inventor with a copy of such documents.

2. The name, surname and address of a registered agent of the applicant in the Kingdom if the applicant is residing abroad.

3. The title of the invention and full and clear description thereof, so that a person skilled in the art may be able to carry out the same, and the best mode contemplated by the applicant for carrying out the invention.

4. The scope of the required protection by defining the new features embodied by the claims. The explanatory drawings (if any) of the invention shall be enclosed with the application as well as an abstract in Arabic (and English if possible). These abstracts will be used for technical information and are irrelevant in determining the scope of

protection.

The applicant shall comply with all the requirements of the Directorate in relation to the application

The Directorate of Patents shall examine whether the application has complied with the prescribed particulars, documents and procedures. If yes, the applicant shall be invited to pay the prescribed fee. The application shall not be registered unless the prescribed fee is paid.

The applicant may make any amendments he deems fit to the application provided that as a result of the amendments, no substantial change is made to the contents of the original application.

The City shall accord the applicant the benefit of the priority of an earlier application made in another country provided that such applicant attaches to his application a written declaration indicating the date and number of the earlier application and the country in which he or his predecessor filed this application. He shall be required to produce a copy of the earlier application duly certified by the competent authority in the country in which it was issued within ninety days from the date of filing the application in the City.

The City shall evaluate the claim of priority rights in the light of international treaties to which the Kingdom is a party.

The applicant may at any time withdraw his application unless a final decision has been made. Withdrawal shall not entail the right to a refund of fees or expenses already paid in respect of the application.

Schedule of Patent fees referred to in Article 59 of the Patent Act.

Fees payable for Individuals Corporation in Saudi Riyals

1. Filing patent application 400.00 800.00

2. Publication and grant of a patent 500.00 1000.00
3. Annual fees for patent 400.00 800.00
4. Amendment or addition to the application 100.00 200.00
5. Assignment or any aspect relating to the transfer of the patent 200.0 400.00
6. Obtaining a copy from patent register or any copy of a patent or any other papers relating to a patent 50.00 100.00
7. Granting a compulsory license 4000.00 800.00
8. Registration of a licensing Contract 400.00 800.00
9. Application for extension of patent term 200.00 400.00